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May 17, 2004

DMH LETTER NO.: 04-07

TO: LOCAL MENTAL HEALTH DIRECTORS
LOCAL MENTAL HEALTH PROGRAM CHIEFS
LOCAL MENTAL HEALTH ADMINISTRATORS
COUNTY ADMINISTRATIVE OFFICERS
CHAIRPERSONS, LOCAL MENTAL HEALTH BOARDS

SUBJECT: IMPLEMENTATION OF MENTAL HEALTH PLAN (MHP) PRACTICE
GUIDELINES

The purpose of this policy letter is to provide mental health plans (MHPs) with direction for initiating the process for compliance with the requirements of Title 42, Code of Federal Regulations (CFR) Part 438, Section 438.236, as published in the June 14, 2002 Federal Register (Vol. 67, No. 115), describing practice guidelines.

BACKGROUND

In March 2004, Department of Mental Health (DMH) amended all Fiscal Year (FY) 2003-04 MHP contracts to include a requirement that MHPs provide DMH with a written statement of their progress in implementing practice guidelines no later than May 31, 2004. The MHP contract amendment also requires that MHPs be in full compliance with Title 42, CFR, Section 438.236 by June 30, 2004.

PRACTICE GUIDELINES REQUIREMENTS

Title 42, CFR, Section 438.236, requires that each MHP adopt practice guidelines that:

- Are based on valid and reliable clinical evidence or a consensus of health care professionals in the particular field;
- Consider the needs of the beneficiaries of the MHP;
- Are adopted in consultation with contracting health care professionals;
- Are reviewed and updated periodically as appropriate; and
- Are disseminated to all affected providers and, upon request, to beneficiaries of the MHP.

The MHP must also ensure that decisions for utilization management, enrollee education, coverage of services, and other areas to which the guidelines apply are consistent with the guidelines.

Please note that the regulation text uses the term PIHP (prepaid inpatient health plan), which is federal term that applies to MHPs and the term enrollees, which is the federal term for beneficiaries of the MHPs. The federal regulation also refers to potential enrollees, which does not apply in the Medi-Cal managed mental health care program.

MHP CONTRACT REQUIREMENTS

MHPs must develop, implement, and maintain written policies and procedures that describe at least two practice guidelines the MHP has adopted. MHP practice guidelines policies and procedures must illustrate how the specific elements listed above are addressed and the process to ensure these policies and procedures are reviewed and updated as needed. In accordance with the MHP contract amendment effective March 1, 2004, DMH will be sending a practice guidelines update questionnaire to all MHPs two weeks prior to May 31, 2004. The questionnaire will allow MHPs to report their progress toward full implementation of practice guidelines to DMH as of May 31, 2004. MHPs are not required to submit their practice guidelines to DMH for formal approval, however, the new practice guidelines will be reviewed in future DMH reviews and External Quality Reviews (EQRs).

DMH ASSISTANCE WITH PRACTICE GUIDELINES IMPLEMENTATION

Title 42, CFR, Section 438.236, referenced above, describes specific MHP practice guidelines requirements. DMH is working with the California Mental Health Directors Association and the California Institute for Mental Health to provide examples of practice guidelines which MHPs may consider for implementation.

DMH CONTACTS

MHPs are encouraged to consult with DMH, as needed, to resolve any questions or concerns regarding this letter. Please contact your Medi-Cal contract manager in the County Operations Section listed below:

DMH County Operations Medi-Cal Contract Managers

Bay Region

Ruth Walz (707) 252-3168
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Sincerely,

(Original Signed by)

STEPHEN W. MAYBERG, Ph.D.
Director

cc: California Mental Health Planning Council
Chief, County Operations Section